

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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MARCUS RONALD SWALLOW,

Plaintiff,

v.

ELKO COUNTY, *et al.*,

Defendants.

Case No. 3:23-CV-00227-ART-CLB

**ORDER DENYING PLAINTIFF'S MOTION
FOR EXTENSION OF TIME**

[ECF No. 51]

Currently pending before the Court is Plaintiff's motion to extend discovery deadlines by 30 days. (ECF No. 51.) Federal Rule of Civil Procedure 16(b)(4) governs the modification of scheduling orders and discovery plans. Fed. R. Civ. P. 16(b)(4) provides that "[a] schedule may be modified only for good cause and with the judge's consent." The discovery plan and scheduling order was entered in this case on February 20, 2024, and established a discovery deadline of August 18, 2024. (ECF No. 49.) As Plaintiff's motion to extend discovery was filed on March 19, 2024, barely one month after discovery was opened, no good cause exists to extend discovery deadlines at this time. Additionally, as Plaintiff only requests a 30-day extension, Plaintiff should be able to complete discovery during the remaining five months of the discovery period. However, should Plaintiff desire more time for discovery, he may refile a motion to extend discovery at a time closer to the deadline. Plaintiff is reminded that prior to filing any renewed motion to extend time for discovery, he must meet and confer with opposing counsel to determine if a stipulation to continue to discovery can be reached.

IT IS THEREFORE ORDERED that Plaintiff's motion to extend discovery deadlines by 30 days, (ECF No. 51), is **DENIED**.

IT IS SO ORDERED.

DATED: March 20, 2024.


UNITED STATES MAGISTRATE JUDGE